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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/26/2021	.	
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The Committee on Judiciary (Thurston) recommended the following:

Senate Amendment (with title amendment)

Between lines 163 and 164
insert:

(5) (a) For the purposes of benefits provided under chapters 112 and 440 and any other benefits provided by law to individuals suffering injury or illness through the course and scope of employment, the following individuals shall be presumed to have contracted COVID-19 in the course and scope of his or her employment:

1. A person licensed under chapter 458, chapter 459,



581764

12 chapter 461, chapter 463, chapter 464, chapter 465, chapter 466,
13 or chapter 483;

14 2. An employee of a:

15 a. Facility licensed, certified, or approved by any state
16 agency and for which chapter 395, chapter 400, chapter 429, or
17 chapter 766 apply;

18 b. Federally qualified health center as defined in 42
19 U.S.C. s. 1396d(1) (2) (B); or

20 c. Sole proprietorship, group practice, partnership, or
21 corporation that provides health care services by physicians
22 covered by s. 627.419, that is directly supervised by one or
23 more of such physicians, and that is wholly owned by one or more
24 of those physicians or by a physician and the spouse, parent,
25 child, or sibling of that physician;

26 3. An emergency medical technician as defined in s.
27 401.23(11); or

28 4. A paramedic as defined in 401.23(17).

29 (b) The presumption in paragraph (a) may be rebutted if the
30 defendant proves by clear and convincing evidence that the
31 individual's infection did not arise out of the course and scope
32 of his or her employment.

33
34 ===== T I T L E A M E N D M E N T =====

35 And the title is amended as follows:

36 Delete line 8

37 and insert:

38 providing a statute of limitations; providing that
39 certain individuals are presumed to have contracted
40 COVID-19 in the course and scope of their employment;



581764

41 specifying how a defendant may rebut such presumption;
42 providing